IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 2nd OF FEBRUARY, 2024

CONTEMPT PETITION CIVIL No. 312 of 2021

BETWEEN:-

RAJESHWAR BABA S/O LATE SHRI ANANDRAO SARKANUNGO, AGED ABOUT 70 YEARS, OCCUPATION: NI 109, MULLAN WADI (MADHYA PRADESH)

.....PETITIONER

(BY SHRI ANENDRA SINGH PARIHAR - ADVOCATE)

AND

1. **SMT PRIYANKA PATEL CHIEF MUNICIPAL OFFICER MUNICIPAL COUNCIL KHARGONE (MADHYA PRADESH)**

2. **SMT. ANUGRAHA P. THE COLLECTOR K H A R G O N E COLLECTOR OFFICE DIST KHARGONE (MADHYA PRADESH)**

3. **R..C. KHETRIYA THE TEHSILDAR COLLECTOR OFFICE DIST KHARGONE (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI SACHIN PARMAR - ADVOCATE FOR RESOPNDENT NO.1)

This petition coming on for admission this day, the court passed the following:

ORDER

This petition has been filed alleging non-compliance of the order dated 12.09.2019 passed in W.P. No.1766 of 2017 which was disposed off with the following direction:

"The matter is remitted back to the Municipal Council to pass a fresh order after giving opportunity of hearing to the

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Signing time: 05-Feb-24 2:30:41 PM

petitioner as well as to the respondent No.4. The competent authority is directed to conduct a summary enquiry in order to verify that the petitioner has purchased the same house which is mentioned in the compromise decree. If competent authority comes to the conclusion that respondent No.4 was in possession of House No.109, Mullanwadi and petitioner has wrongly dispossessed and demolished his house, then he is directed to take action against the petitioner in accordance with law. The petitioner be directed to restore the possession of the respondent no.4 and pay compensation to him. If necessary, the competent authority may take necessary assistance from Tehsildar for the purpose of demarcation. If findings are recorded in favour of the petitioner then after undertaking all these exercise his application for revival of building permission be considered."

2. Reply has been filed by the respondents along with which they have filed an order dated 24.11.2021 whereby in pursuance of the aforesaid order the Nagar Palika Parishad, Khargone has carried out the necessary proceedings and has decided the matter as per the directions given by this Court.

3. In view of the aforesaid order, nothing further survives for determination in this petition which is accordingly disposed off reserving liberty to the petitioner to challenge the order dated 24.11.2021 in accordance with law.

(PRANAY VERMA)
JUDGE

jyoti

Signature Not Verified
Signed by: JYOTI CHOURASIA
Signing time: 05-Feb-24 2:30:41 PM